



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

MEH:ddj
Docket No: 4328-00
11 October 2000

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 11 October 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by BUPERS memorandum 1160 PERS 815 of 17 August 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

1160
PERS-815
17 Aug 00

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS

Via: PERS-OOZCB

Subj: BCNR PETITION ICG [REDACTED]

Ref: (a) SNM's DD Form 149 dtd 19 Jun 00
(b) NAVADMIN 132/99
(c) OPNAVINST 271/99

Encl: (1) BCNR File

1. In response to reference (a), recommend disapproval of the petitioner's request.

- The petitioner received BUPERS orders 3139 in March 2000 to attend FC "A" school via the SCORE conversion program from 21 March 2000 to 2 August 2000. The petitioner's EAOS at the time was 23 August 2000.

- Reference (b) listed a zone "B" SRB entitlement for the FC rate with an award level of 4.0 at the time the petitioner received the "A" school orders.

- Reference (c) released on 30 September 1999 offered an SRB award for members who agree to "OBLISERV TO TRAIN AND THEN REENLIST" in a rating or NEC that, at the time of the agreement, is designated for award of a SRB. Members may be paid the bonus for that specialty via prior approval by the detailer and Enlisted Community Manager.

- The petitioner requests a six year reenlistment for the FC(0000) prior to his transfer in March 2000 in order to receive the zone "B" SRB entitlement after successful completion of training by way of the OBLISERV TO TRAIN AND THE REENLIST (reference (c)).

- The petitioner's ADSD is 26 March 1990. The petitioner passed through the zone "B" window on 25 March 2000 while attending the FC "A" school. Therefore, the petitioner would not have been eligible for the OBLISERV TO TRAIN AND THEN REENLIST because members must remain within the same zone from the agreement date to the completion date of the training.

Subj: BCNR PETITION ICO ~~FOIA b(7) - D~~ 47

2. In view of the above, recommend petitioner's record remain as is.

3. This is an advisory memorandum to reference (a) for the use by the Board for Correction of Naval Records (BCNR) only. Enclosure (1) is returned.


A. F. CANTRELL JR.
Head,
Reenlistment Incentives Branch